

MAY 18 2007

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PTO/SB/34 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

 First named inventor: Kevin L. Morales
John L. Guidry, II
Application No.: 10/702423Art Unit: 3727Filed: 11-06-03Examiner: Shawn BradenTitle: Double Skin Low Profile Environment Safety Tank System
 Attention: Office of Petitions
 Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450
 FAX (571) 273-8300

 NOTE: If information or assistance is needed in completing this form, please contact Petitions
 Information at (571) 272-3282.

 The above-identified application became abandoned for failure to file a timely and proper reply to a notice or
 action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration
 date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☒ Small entity-fee \$ 750 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

 A. The reply and/or fee to the above-noted Office action in
 the form of payment of issue fee (identify type of reply):

- ☐
- has been filed previously on _____
-
- ☐
- is enclosed herewith.

 B. The issue fee and publication fee (if applicable) of \$ 1,000.

- ☐
- has been paid previously on _____
-
- ☐
- is enclosed herewith.

[Page 1 of 2]

 This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the
 USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to
 complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any
 comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer,
 U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED
 FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

U.S. PatApp. On "Double Skin, Low Profile Environmental Safety Tank System" Inventors: MORALES & GUIDRY

05/18/2007 LHMNDI2 00000097 10702423

33 FC:2453

750.00 DP

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OFFICE OF PETITIONS

May 16, 2007

Dear Sir/Mam:

We (Guidry and Morales Holdings) applied for a patent on our "Double Skin Environmental Safety Tank System."

Our attorney Mr. C. Emmett Pugh was paid in advance to do this job. After nine (9) months of no contact with him, I discovered he had a cerebral brain tumor and while being treated for this it caused him to have a stroke which paralyzed half of his body. He can't speak and can no longer take care of his business. I was finally able to contact his wife last week and found out all of this information.

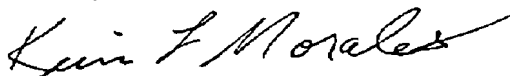
I called your office to get the status of our patent. They advised me that it was awarded, but the fees weren't paid. They instructed me on what to do next.

I will sadly have to revoke Mr. Pugh of Pugh and Associates as our Patent Attorney. He has been good to us.

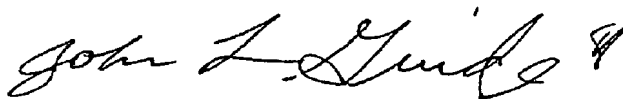
I have attached the Petition for Revival of an Abandoned Application (pages 2 and 3) along with the fees of \$1,750 (\$750 petition fee, \$700 issue fee & \$300 publication fee) (page 4). I have also attached the Power of Attorney form releasing Mr. Pugh from this job and signing it over to myself (page 5).

If you have any questions, please contact me. My email address is kmorales@charter.net, home phone is 985-851-5519 or my cell is 985-637-7956.

Sincerely,



Kevin L. Morales



John L. Guidry, II

05/18/2007 LWONDIM2 00000097 10702423

01 FC:2501
02 FC:1504700.00 OP
300.00 OP

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Kevin L. Morales
4104 Country Drive
Bourg, LA 70343-3500
(985)851-5519
kmora@charter.net

**Guidry & Morales
Holdings****Fax**

To: United States Patent & Trademark Office **From:** Kevin L. Morales & John L. Guidry, II

Fax: (571)273-8300

Pages: 6 including cover

Phone: (571)272-3282

Date: May 17, 2007

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Kevin L. Morales / John L. Guidry II
Signature

05-16-07

Date

Kevin L. Morales / John L. Guidry II
Typed or printed name

Registration Number, if applicable

4104 Country Drive

(985) 851-5519

Address

Telephone Number

Bourg, LA 70343-3500

Address

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unintentional delay☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

05-16-07

Date

Kevin L. Morales / John L. Guidry II
Signature

Kevin L. Morales / John L. Guidry II
Typed or printed name of person signing certificate

U.S. PatApp. On "Double Skin, Low Profile Environmental Safety Tank System" Inventors: MORALES & GUIDRY

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**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number 10 702423
Filing Date 11-06-03
First Named Inventor Kevin L. Morales / John L. Guidry II
Title operations manager
Art Unit 3727
Examiner Name Shawn Braden
Attorney Docket Number MORAKGUIDJ31471

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☐ Practitioners associated with the Customer Number:

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☐ The address associated with the above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

OR

☒ Firm or Individual Name Kevin L. Morales
Address 4104 Country Drive
City Boring State LA Zip 70343-3500
Country USA
Telephone 985-851-5519 Email kmora@charter.net

I am the:

☒ Applicant/Inventor.

☐ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record.

Signature [Signature] Date 05-16-07
Name Kevin L. Morales Telephone 985-851-5519
Title and Company operations manager / Guidry & Morales Holdings

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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